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C O N F I D E N T I A L SECTION 01 OF 03 BUCHAREST 001433

SIPDIS

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SUBJECT: NEW ROMANIAN PARLIAMENTARY ELECTIONS? MAYBE...

REF: BUCHAREST 1378

Classified By: POLITICAL SECTION CHIEF ROBERT GILCHRIST FOR REASONS 1.4
B AND D

1. (C) Summary: President Traian Basescu continues to push for early parliamentary elections, asserting that they would allow the center-right government to gain a clear majority. The National Liberal-Democratic (PNL-PD) party alliance is divided over the issue, with the PNL and Prime Minister Calin Popescu-Tariceanu especially chary of new elections. The two junior members of the coalition, the ethnic Hungarian party (UDMR) and the Conservative Party (PC), fear new elections might eliminate their parties from parliament. While new elections may not occur anytime soon, Basescu may continue to invoke their possibility as a strategy to keep the fragile center-right coalition in line. Given that the Romanian constitution does not outline a clear formula for the dissolution of parliament and new elections, post provides an overview of the constitutional obstacles faced by Basescu should he desire to go in that direction. End Summary.

Basescu,s Repeated Call for New Elections

2. (SBU) President Traian Basescu,s surprise victory in the fall 2004 presidential elections was the catalyst permitting the PNL and PD to cobble together a fragile center-right coalition which included the UDMR and the PC, both erstwhile Social Democratic Party (PSD) allies. Barely a week after the PNL-PD-led government took office December 29, 2004, Basescu sent shock waves through the political class when he declared himself in favor of new parliamentary elections. True to form, Basescu did not pull his punches, asserting that Romania needed new elections to permit the center-right to gain a clear majority in Parliament and carry out their reform oriented agenda. Basescu characterized the presence of former PSD ally PC, as &immoral,8 implying that the PC was a Trojan horse in the coalition. Basescu continued his campaign in February when he described the four party coalition as &too broad8 and &lacking coherence8 necessary to carry out the PNL-PD,s campaign pledges. He has also remained perpetually irritated that the two top positions in the Parliament -- the presidents of each Chamber -- remain in the hands of former PSD prime ministers Adrian Nastase and Nicolae Vacaroiu. The parliamentary vote for these positions was held in December 2004 before PNL-PD sealed its coalition with the UDMR and PC.

3. (C) The safe return to Romania last month of three Romanian journalists kidnapped in Iraq boosted Basescu,s approval ratings, with one recent poll result showing that the president enjoys a roughly 70 percent approval rating (ref). Sources close to Basescu have told the Embassy that the successful conclusion of the hostage crisis has emboldened the president and provides him the time and energy to focus on domestic issues; he continues to want "snap" elections.

PM Tariceanu says &NO8 to Snap Elections. . .

4. (C) PM Tariceanu and other National Liberal Party (PNL) leaders have publicly and privately expressed reservations about early parliamentary elections. Shortly after the May 29 French referendum on the European constitution, Tariceanu publicly stated that early elections could &call into question8 Romania's slated EU accession in January 2007, and senior EU officials based in Bucharest have confirmed to us that the EU looks dimly on snap elections. PNL parliamentarians have privately told Embassy Officers that new elections would probably weaken the overall parliamentary position of the PNL, while strengthening an emboldened and increasingly popular PD riding Basescu,s coattails. There remains an assumption that if the PNL and PD ran again on a common list, as they did in November 2004, PD would seek to renegotiate the terms of the alliance. This would no doubt mean a significantly larger percentage for the PD of seats won in Parliament for the alliance. It would also mean more PD representation in the Cabinet.

5. (C) One senior PNL deputy went so far as to &pencil out8 for PoOff possible configurations of a new parliament, finally concluding: &No matter what happens, PNL won,t gain, and could lose seats.8 In fact, the constitution provides that dissolving parliament and holding new elections

requires the active support of the PM, a point Basescu acknowledged when he publicly stated June 22 that early elections can be organized only if PM Tariceanu agrees. Basescu also conceded June 13 that &because PNL does not want early elections, it is impossible to organize them.8

... Junior Coalition Partners Balk

16. (C) An almost certain loser in new elections would be media magnate Dan Voiculescu,s PC, which, based on current poll soundings, would be unlikely to obtain the five percent of the vote required nationwide to enter parliament. The UDMR, which has traditionally been able to count on a disciplined ethnic electorate, would probably cross the five percent threshold for parliamentary admission, but fears that new elections that would strengthen the PNL-PD would, ipso facto, significantly diminish the UDMR,s influence within the coalition.

And Opposition Prefers Status Quo

17. (C) The two parliamentary opposition parties, the center-left PSD and extreme nationalist Greater Romania Party (PRM), have been preoccupied by internal squabbles and the threat of schism since last fall,s elections. According to recent polls, if new parliamentary elections were held now, the PNL-PD alliance would get a comfortable absolute majority) at the expense of both the PSD and PRM) which explains why both parties are content with the status quo. One PSD insider recently told us that PSD officials have been meeting privately with discontented members of the PNL, PC and UDMR. While acknowledging that the imminent split up of the center-right coalition is highly unlikely, he underscored that many members of the center-right are discomfited at Basescu,s repeated calls for new elections. Although PRM leader Corneliu Vadim Tudor has publicly stated he supports new elections, some political contacts tell us that PRM rank-and-file are concerned about the party's poor showing in recent polls.

18. (SBU) Many parliamentarians across the political spectrum are also leery of new elections, given the personal cost associated with running a successful campaign and the fact that, as one operative told us, &many are tired and broke after a year of local, parliamentary and presidential elections.8 Additionally, political appointees at all levels would risk losing their posts if the cabinet were dissolved as a precursor to new elections.

How To Organize New Elections: A Constitutional Primer

19. (C) A Bucharest-based political analyst recently observed that &the new constitution (as amended in 2003) was designed to increase political stability, not diminish it.8 Besides the strong resistance of key political players, Basescu recognizes that his quest for new elections requires him to leap a series of constitutional hurdles. Political operatives across the spectrum have underscored to us, however, that if Basescu pushes hard enough for new elections and wins over PM Tariceanu he could, in essence, use constitutional mechanisms to force new elections. Post provides below a brief outline of the constitutional provisions and accompanying circumstances that could lead to new elections.

110. (SBU) The first step, under the Constitution, to permit new elections is the removal of the incumbent PM. Although the Constitution explicitly prevents the President from firing the PM (Article 107.2), the PM can voluntarily resign (Article 106). Constitutional scholars and political analysts point to the precedent of PM Radu Vasile,s resignation under pressure in December 1999 as a prime example of how an incumbent PM can be removed at the initiative of the president. The Constitution also envisages circumstances in which the PM is unable to fulfill his duties, e.g. because of health reasons or because most of his cabinet resigns.

111. (SBU) A second scenario that would permit dissolution of the government would be a parliamentary motion of censure supported by a majority of MPs (Articles 113 and 114). The government is dismissed by law if parliament also refuses to accept proposed organic changes in the new government, i.e. refuses to grant a new vote of confidence to a structurally reformed government (Article 85.3). In any of the above situations, the government is &dismissed8 and the process of naming a new PM and forming a government begins from scratch (Article 110).

112. (SBU) Removal of the PM and consequent dissolution of the government does not immediately lead to the dissolution of the parliament. Initially, the president, after consultations with the leaders of the parliamentary parties, picks a candidate for PM (Articles 85 and 103.1). The new PM candidate (who might even be the outgoing PM) has ten days to put together a new governing team and to draft a new

governing program, appear before parliament and request its vote of confidence. If the PM candidate fails to do so within the constitutional limit of ten days or the parliament refuses to grant its confidence to the new government, the whole procedure starts again with the selection of a new PM candidate.

¶13. (SBU) The Constitution provides that if successive PM candidates are unable to form a government or the Parliament refuses on at least two consecutive occasions to grant its confidence to the proposed government over a period that could last up to sixty days, then) and only then - the President can dissolve the Parliament (Article 89.1), after consultation with the presidents of the two chambers of the Parliament and with the leaders of the parliamentary parties. The dissolution of parliament would permit new elections.

¶14. (C) Comment. The only almost certain winner in new elections would be Basescu,s PD, which has been energized by his popularity. His ultimately successful handling of the hostage crisis coupled with his insistence that the government should aggressively attack corruption have boosted his standing with ordinary Romanians. At the same time, the PD, which holds its national convention June 25, has matured as a party in the past few years and can claim several prominent and effective national leaders, including Bucharest Mayor Adriean Videanu, Cluj Mayor Emil Boc and Interior Minister Vasile Blaga. New elections may not happen soon, and the path to getting them is fraught with constitutional hurdles, but the savvy Basescu may eventually get what he wants. At the very least, his repeated call for new elections is a not-so-subtle reminder to wavering coalition partners to stay in line. End Comment.

¶15. (U) Amembassy Bucharest,s reporting telegrams are available on the Bucharest SIPRNET Website:
www.state.sgov.gov/p/eur/bucharest .
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